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PRESS RELEASE

FOR IMMEDIATE RELEASE

As Coronavirus Spreads, We Must Release Those at Risk in Nepal's Detention Centers and Prisons

As COVID-19 continues to threaten populations around the globe, the World Health Organization has warned that Nepal is at high risk of infection. Unfortunately, [overcrowding in our nation's detention centers and prisons](#) leaves detainees particularly vulnerable to this virus.

The Nepal Bar Association recently suggested closure of courts to mitigate the spread of Coronavirus, but such emergency measures pose a direct threat to Nepal's commitment to access to justice. While we must act swiftly to protect the country, shutting courthouses threatens the basic rights of people in detention, including the right to defend oneself against deprivation of liberty and the right to a fair and speedy trial. In this time of crisis, we must not fall out of step with justice systems around the world who are engaging in proactive measures to contain the spread of the virus while upholding human rights.

In line with global responses, the Public Defender Society of Nepal and the International Legal Foundation jointly propose the Government of Nepal take immediate action to release those most vulnerable to coronavirus and to reduce overcrowding in Nepal's detention centers, jails and prisons.

- **Use all legal avenues to immediately reduce the detention center, jail and prison populations.**

We call for the immediate release of people in jails and prisons who face heightened risk of severe illness or death due to COVID-19, including people who are over 60 and those who have underlying medical condition like asthma, diabetes, or a heart or lung ailment;

To reduce overcrowding in detention centers and ensure the safety of those in pre-trial detention, we additionally call for the pre-trial release of those suspected of, or charged with minor or general criminal offenses who pose no grave threat to public safety;

To reduce overcrowding in jails and prisons, we additionally call for prioritizing the sentencing of accused persons to alternatives to incarceration wherever possible, and call for the release of sentenced people who are scheduled for release within the next six months.

- **Implement a moratorium on arrest and prosecution of minor criminal offenses.**

We call for the Government of Nepal to immediately suspend the arrest and prosecution of minor offenses, including all those that would be tried in Chief District Offices.

- **Safeguard the right to a fair and speedy trial.**

We call for the courts to continue to safeguard the fundamental human rights of suspects and accused persons, while maintaining protections for public safety by continuing to hold all critical hearings, including remand hearings and habeas corpus petition hearings, while also enabling lawyers to advance cases to enable expedited dispositions of criminal cases.

- **Implement more rigorous sanitary procedures.**

To reduce risk to court staff, judges, prosecutors, and lawyers, we call for courts, police stations, detention centers, jails and prisons to implement more rigorous sanitary procedures and social distancing, screening processes, and segregation of new detainees and those who fall ill.

The Public Defender Society of Nepal (PDS-Nepal) is a Nepali non-profit nongovernmental organization with the mission to ensure fair and effective access to justice by defending poor and vulnerable persons accused of criminal offenses. PDS-Nepal is the implementation partner of the International Legal Foundation (ILF). The ILF is the leading global advocate for legal aid and is [monitoring the coronavirus pandemic](#) and its threat to the rights and safety of detainees as it unfolds across the globe.



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